

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Desolation Holdings LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 23-10597 (BLS)

(Jointly Administered)

**NOTICE OF AGENDA MATTERS SCHEDULED FOR
HEARING ON OCTOBER 30, 2023 AT 10:00 A.M. (ET)**

This hearing will be conducted in person. All parties, including witnesses, are expected to attend in person unless permitted to appear via Zoom. Participation at the in-person Court proceeding using Zoom is allowed only in the following circumstances: (i) counsel for a party or a pro se litigant files a responsive pleading and intends to make only a limited argument; (ii) a party or a representative of a party is interested in observing the hearing; (iii) a party is proceeding in a claims allowance dispute on a pro se basis; (iv) an individual has a good faith health-related reason to participate remotely and has obtained permission from chambers to do so; or (v) other extenuating circumstances that warrant remote participation as may be determined by the Court.

When: October 30, 2023 10:00 A.M. Eastern Time (US and Canada)

Register in advance for this meeting:

<https://debuscourts.zoomgov.com/meeting/register/vJltdO2vrjssGrNE5-XlAibAskaoKCgwELM>

After registering, you will receive a confirmation email containing information about joining the meeting.

**YOU MUST USE YOUR FULL NAME WHEN LOGGING INTO ZOOM OR YOU
WILL NOT BE ALLOWED INTO THE MEETING.**

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor entity's tax identification number, are: Desolation Holdings LLC (0439); Bittrex, Inc. (0908); Bittrex Malta Holdings Ltd. (2227); and Bittrex Malta Ltd. (1764). The mailing and service address of the Debtors is 701 5th Avenue, Suite 4200, Seattle, WA 98104.

RESOLVED MATTERS

1. Notice of Debtors' Objection Claims 597-87 and 597-152 Filed by Joshua Rogers Pursuant to Sections 502, 503 and 507 of the Bankruptcy Docket, Bankruptcy Rule 3007, and Local Rule 3007-1 [(Sealed) D.I. 368, (Redacted) D.I. 369), 9/21/23]

Response Deadline: October 5, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claims 597-87 and 597-12 Filed by Joshua Rogers Pursuant to Section 502, 503, and 507 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [(Sealed) D.I. 370, (Redacted) D.I. 371 9/21/23]
- B. Certificate of No Objection [D.I. 439, 10/16/23]
- C. Order [D.I. 465, 10/20/23]

Status: An order has been entered. No hearing is required.

2. Notice of Debtors' Objection to Claims 598-1221, 598-1314, 598-1578, 599-53, 599-62, 600-155, and 600-194 Filed by Katsumi Matsubayashi Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 393, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claims 598-1221, 598-1314, 598-1578, 599-53, 599-62, 600-155, and 600-194 Filed by Katsumi Matsubayashi Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 394, 9/29/23]
- B. Certificate of No Objection [D.I. 440, 10/16/23]
- C. Order [D.I. 456, 10/20/23]

Status: An order has been entered. No hearing is required.

3. Notice of Debtors' Objection to Claim 597-19 Filed by Cliff Andrusko Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 395, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claim 597-19 Filed by Cliff Andrusko Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 396, 9/29/23]
- B. Certificate of No Objection [D.I. 441, 10/16/23]
- C. Order [D.I. 458, 10/20/23]

Status: An order has been entered. No hearing is required.

4. Notice of Debtors' Objection to Claim 599-76 Filed by Dex Wasylishyn Pursuant to Sections 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 397, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claim 599-76 Filed by Dex Wasylishyn Pursuant to Sections 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 398, 9/29/23]
- B. Certificate of No Objection [D.I. 442, 10/16/23]
- C. Order [D.I. 457, 10/20/23]

Status: An order has been entered. No hearing is required.

5. Notice of Debtors' Objection to Claim 598-1936 Filed by Jennifer Lee Burns Pursuant to Sections 502 and 507 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 401, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claim 598-1936 Filed by Jennifer Lee Burns Pursuant to Sections 502 and 507 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 398, 9/29/23]
- B. Certificate of No Objection [D.I. 443, 10/16/23]
- C. Order [D.I. 459, 10/20/23]

Status: An order has been entered. No hearing is required.

6. Notice of Debtors' Objection to Claims Filed by Rishi Sachdev Pursuant to Sections 502, 503, and 507 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [(Sealed) D.I. 403, (Redacted) D.I. 405, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claims Filed by Rishi Sachdev Pursuant to Sections 502, 503, and 507 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [(Sealed) D.I. 404, (Redacted) D.I. 406, 9/29/23]
- B. Certificate of No Objection [D.I. 444, 10/16/23]
- C. Order [D.I. 460, 10/20/23]

Status: An order has been entered. No hearing is required.

7. Notice of Debtors' Objection to Claim 598-1760 Filed by Tinashe Simba Mudzinganyama Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 407, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claim 598-1760 Filed by Tinashe Simba Mudzinganyama Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 408, 9/29/23]
- B. Certificate of No Objection [D.I. 445, 10/16/23]
- C. Order [D.I. 461, 10/20/23]

Status: An order has been entered. No hearing is required.

8. Notice of Debtors' Objection to Claim 598-151 Filed by Timothy Malloy Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 409, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claim 598-151 Filed by Timothy Malloy Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 410, 9/29/23]
- B. Certificate of No Objection [D.I. 446, 10/16/23]
- C. Order [D.I. 462, 10/20/23]

Status: An order has been entered. No hearing is required.

9. Notice of Debtors' Objection to Claim 598-1946 Filed by Diana Yan Chen Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and local Rule 3007-1 [D.I. 413, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claim 598-1946 Filed by Diana Yan Chen Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 414, 9/29/23]
- B. Certificate of No Objection [D.I. 447, 10/16/23]
- C. Order [D.I. 464, 10/20/23]

Status: An order has been entered. No hearing is required.

10. Notice of Debtors' Objection to Claim 597-13 Filed by McKenzie Polite Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and local Rule 3007-1 [D.I. 415, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- A. Declaration of Evan Hengel In Support of Debtors' Objection to Claim 597-13 Filed by McKenzie Polite Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 416, 9/29/23]
- B. Certificate of No Objection [D.I. 448, 10/16/23]
- C. Order [D.I. 463, 10/20/23]

Status: An order has been entered. No hearing is required.

ADJOURNED MATTER

11. Notice of Debtors' Objection to Claims 597-238, 597-296, 598-998, 598-1021, 598-10408, 599-35, 599-38, 599-10018, 600-87, 600-96, and 600-10052 Filed by Azim Ghader Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 411, 9/29/23]

Response Deadline:

October 13, 2023 at 4:00 p.m. (ET)

Responses Received:

- A. Response of Azim Ghader to Debtors' Objection to Claims 597-238, 597-296, 598-998, 598-1021, 598-10408, 599-35, 599-38, 599-10018, 600-87, 600-96, and 600-10052 Filed by Azim Ghader Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 470, 10/22/23]
- B. Exhibit(s) A-V to Response of Azim Ghader to Debtors' (A) Objection to Claims 597-239, 597-296, 598-998, 598-1021, 598-10408, 599-35, 599-38, 599-10018, 600-87, 600-96, and 600-0052 Filed by Azim Ghader Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [(Sealed) D.I. 471, 10/22/23]

Related Documents:

- C. Declaration of Evan Hengel In Support of Debtors' Objection to Claims 597-238, 597-296, 598-998, 598-1021, 598-10408, 599-35, 599-38, 599-10018, 600-87, 600-96, and 600-10052 Filed by Azim Ghader Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 412, 9/29/23]
- D. Notice of Service of First Request by Azim Ghader to the Debtors for the Production of Documents [D.I. 424, 10/6/23]
- E. Notice of Service of (i) First Set of Requests for Production to Azim Ghader; and (ii) Notice of Deposition [D.I. 434, 10/11/23]
- F. Notice of Deposition Upon Oral Examination of Evan Hengel [D.I. 466, 10/20/23]
- G. Notice of Deposition Upon Oral Examination of Representative of Desolation Holdings, LLC, *et al* [D.I. 467, 10/20/23]
- H. Notice of Filing of Stipulation [D.I. 468, 10/20/23]
- I. Notice of Service of Azim Ghader's Responses and Objection to the First Request for Production of Documents by the Debtors [D.I. 485, 10/24/23]

Status: By agreement of the parties, this matter has been adjourned to a date to be determined.

MATTERS GOING FORWARD

12. Confirmation of Joint Chapter 11 Plan of Liquidation of Desolation Holdings LLC and its Affiliated Debtors [D.I. 293, 8/25/23]

Response Deadline: October 24, 2023 at 4:00 p.m. (ET)

Responses Received:

- A. Informal Comments from the Office of the United States Trustee
- B. Informal Comments from the Office of the Texas Attorney General
- C. Informal Comments from the Department of Justice
- D. Reservation of Rights of Endurance Assurance Corporation and Endurance American Insurance Company to the Debtors Motion Approving the Disclosure Statement [D.I. 482, 9/24/23]
- E. Reservation of Rights of the United States of America Regarding the Debtors' Chapter 11 Plan [D.I. 484, 10/24/23]

Related Documents:

- F. Order (I) Approving the Disclosure Statement; (II) Approving Solicitation and Voting Procedures, Including (A) Fixing the Record Date, (B) Approving the Solicitation Packages and Procedures for Distribution, (C) Approving the Form of the Ballots and Establishing Procedures for Voting, and (D) Approving Procedures for Vote Tabulation; (III) Scheduling a Confirmation Hearing and Establishing Notice and Objection Procedures; (IV) Shortening the Notice Period for (A) Parties to Object to Confirmation of the Plan, and (B) the Confirmation Hearing; and (V) Granting Related Relief [D.I. 389, 9/28/23]
- G. Notice of Filing of Solicitation Version of Disclosure Statement for Amended Joint Chapter 11 Plan of Liquidation of Desolation Holdings LLC and its Affiliated Debtors [D.I. 391, 9/28/23]
- H. Notice of Filing of Plan Supplement [D.I. 449, 10/17/23]
- I. Notice of Filing of Proposed Order Confirming the Amended Joint Chapter 11 Plan of Liquidation of Desolation Holdings LLC and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code [D.I. 494, 10/26/23]

Status: The Debtors believe that they have resolved all informal responses to confirmation, and there were no formal objections filed. Prior to the hearing, the Debtors will be filing: (i) declarations in support of confirmation of the Plan; (ii) a Voting Report; and (iii) the Confirmation Memorandum. This matter is going forward.

13. Notice of Debtors' Objection to Claims Filed by Z M Golam Dastagir Pursuant to Sections 502, 503 and 507 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 399, 9/29/23]

Response Deadline: October 13, 2023 at 4:00 p.m. (ET)

Responses Received:

- A. Response of Z M Golam Dastagir to Debtors' Objection to Claims Filed by Z M Golam Dastagir Pursuant to Sections 502, 503 and 507 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 451, 10/12/23]

Related Documents:

- B. Declaration of Evan Hengel In Support of Debtors' Objection to Claims Filed by Z M Golam Dastagir Pursuant to Sections 502, 503 and 507 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1 [D.I. 400, 9/29/23]
- C. Debtors' Reply to the Response of Z M Golam Dastagir to Debtors' Claims Objection [D.I. 490, 10/25/23]

Status: This matter is going forward.

FEE APPLICATIONS

14. First Interim Fee Application of the Debtors Professionals for the Period from May 8, 2023 Through and Including July 31, 2023 [D.I. 349, 9/14/23]

Related Documents:

- A. Certification of Counsel [D.I. 431, 10/9/23]
- B. Order [D.I. 435, 10/12/23]

Status: An order has been entered. No hearing is required.

Dated: October 26, 2023
Wilmington, Delaware

**YOUNG CONAWAY STARGATT &
TAYLOR, LLP**

/s/ Kenneth J. Enos

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